

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

PEARSON EDUCATION, INC.;  
BEDFORD, FREEMAN & WORTH  
PUBLISHING GROUP, LLC D/B/A  
MACMILLAN LEARNING;  
MACMILLAN HOLDINGS, LLC;  
CENGAGE LEARNING, INC.;  
ELSEVIER INC.; ELSEVIER B.V.; and  
MCGRAW HILL LLC,

Plaintiffs,

v.

KHALED HASAN; NASIMA AKHTER;  
ANIL KUMAR; RAJIV KUMAR;  
KOUROS SHAHIDI GHAMSARI; ANK  
EXIM LLC; AURUM AMB LLC; IIZ  
FORWARDING LLC; WESTPVT LTD  
LLC; and DOES 1–50,

Defendants.

**Civil Action No. 23-cv-07284-PAC**

**~~PROPOSED~~ ORDER**

At the Preliminary Injunction hearing in this action on September 14, 2023, Plaintiffs Pearson Education, Inc., Bedford, Freeman & Worth Publishing Group, LLC d/b/a Macmillan Learning, Cengage Learning, Inc., Elsevier Inc., and McGraw Hill LLC, Macmillan Holdings, LLC, and Elsevier B.V. (collectively, “Plaintiffs”) sought an Order requiring U.S. Customs & Border Protection (“CBP”) to continue to detain and preserve the evidence regarding five shipments that CBP has detained following the Court’s Seizure Order in the August 17, 2023 *Ex Parte* Order (ECF No. 14 at 9–12) (“Seizure Order”) until the Court makes a determination following the briefing described below. These shipments are further described in the Preliminary

Injunction issued by the Court on September 14, 2023 as the “Detained Shipments” (ECF No. 34 at 6).

Counsel for Plaintiffs and CBP appeared at the Preliminary Injunction hearing. Plaintiffs argued, *inter alia*, that because CBP had not fully carried out the Seizure Order, not permitted Plaintiffs to inspect the Detained Shipments to determine if they contain counterfeit books, and not agreed to continue to detain the Detained Shipments beyond 30 days from their arrival date, the requested Order is necessary to maintain the status quo, effectuate the purposes of the Seizure Order, and ensure that evidence is not lost in this case. CBP maintained that it opposed the requested Order, but if entered by the Court, would abide by it. Plaintiffs further informed the Court that they had agreed with CBP upon a briefing schedule to address the underlying issues related to CBP, the Seizure Order, and 15 U.S.C. § 1116(d) (“CBP Seizure Motion”), which the Court enters below.

**NOW, THEREFORE**, the Court, having held a hearing on September 14, 2023, at which counsel for Plaintiffs and CBP were present, and for good cause shown, **HEREBY ORDERS** that (1) CBP shall continue to detain and preserve the Detained Shipments and the records regarding them until the Court has ruled on the CBP Seizure Motion; and (2) Plaintiffs shall file their opening brief on the CBP Seizure Motion on or before Friday, September 22, 2023; CBP shall file its opposition brief on or before Friday, September 29, 2023; and Plaintiffs shall file their reply brief on or before Friday, October 4, 2023.

**SO ORDERED** this 15 day of September 2023.



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Paul A. Crotty  
UNITED STATES DISTRICT JUDGE